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Paper No. 7

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JUL 25 2003

OFFICE OF PETITIONS

In re Reissue Application for Patent No. 6,024,708 :
Original Patent Issued: February 15, 2000 : PETITION ACCORDING STATUS
Reissue Application No. 10/074,012 : UNDER 37 CFR 1.47(a)
Filed: February 14, 2002 :
Attorney Docket No. 06530.0290 :

This decision concerns the July 18, 2003 renewed petition under 37 CFR 1.47(a).

The renewed petition is **GRANTED**.

The previous petition under 37 CFR 1.47(a), filed on July 3, 2002, was dismissed on May 20, 2003 for failing to show that a copy of the patent, No. 6,024,708, as well as all the amendments in the instant reissue application had been presented to two of the three named inventors in this application before the conclusion was drawn that they refused to join in.

The instant renewed petition and the exhibits indicate that the requirement is met; and that one of the two non-signing inventors expressly refused to sign the declaration, and the third inventor did not respond to counsel's requests to execute the declaration. The renewed petition is thus granted.

The "Reissue Declaration under 37 CFR 1.175" filed with the instant reissue application on February 14, 2002 is hereby accepted.

The application is now complete.

As provided in 37 CFR 1.47(c), the Office will forward notice of the filing of this application to the two non-signing inventors at each of their last known addresses provided in the petition:

Kevin W. Smith
Syntheon, Inc.
8210 N.W. 27th Street
Miami, FL 33122

Charles R. Slater
Syntheon, Inc.
8210 N.W. 27th Street
Miami, FL 33122

Notice of the filing of this application will also be published in the *Official Gazette*.

The application file is being forwarded to Technology Center 3700 for examination.

Telephone inquiries should be directed to the undersigned at (703) 308-0763.

RC Tang
Petitions Attorney
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450

Charles R. Slater
Syntheon, Inc.
8210 N.W. 27th Street
Miami, FL 33122

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In re Reissue Application for Patent No. 6,024,708 :
Original Patent Issued: February 15, 2000. :
Reissue Application No. 10/074,012 :
Filed: February 14, 2002 :
For: RADIAL JAW BIOPSY FORCEPS :

LETTER

JUL 25 2003

OFFICE OF PETITIONS

Dear Mr. Slater,

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a) (Rules of Practice for the United States Patent and Trademark Office [USPTO]). Should a patent be granted on the application, you will be designated therein as a joint inventor.

As a named inventor, you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost pursuant to 37 CFR 1.19), or make your position of record in the application. Alternatively, you may do any of the aforementioned through an attorney or agent registered to practice before the USPTO and presenting written authorization from you. If you care to join in the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Requests for information regarding this application should be directed to the File Information Unit at (703) 308-2733. For information on how to order a copy of the application or a specific paper in the application, contact the Certification Division at (703) 308-9726 or 1-(800) 972-6382 (outside the Washington DC area). Telephone inquiries regarding this letter should be directed to the undersigned at (703) 308-0763.

RC Tang
Petitions Attorney
Office of Petitions

cc: Leslie I. Bookoff, Esq.
Finnegan, Henderson, Farabow, Garrett & Dunner, LLP
1300 I Street, NW
Washington, DC 20005



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Syntheon, Inc.
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For: RADIAL JAW BIOPSY FORCEPS :

LETTER **OFFICE OF PETITIONS**

Dear Mr. Smith,

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a) (Rules of Practice for the United States Patent and Trademark Office [USPTO]). Should a patent be granted on the application, you will be designated therein as a joint inventor.

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cc: Leslie I. Bookoff, Esq.
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